

National Party Boat Owners Alliance, Inc.

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Federal Communications Commission
1919 M Street NW
Washington, DC 20554

Re: NPRM, PR Docket No. 92-257 FCC 92-497

Dear Sirs:

The National Party Boat Owners Alliance (NPBOA) has been representing licensed operators/masters of party and charter fishing boats, excursion and ferry boats since 1952. The following is in response to your request for comments concerning the NPRM published in the Federal Register of Monday, December 7, 1992.

We find it necessary to request that the comment period, which is slated to close on Jan. 21, 1993, be extended. Inasmuch as the Federal Register which included this NPRM was received in the latter part of December and the full text of this notice had to be acquired elsewhere, there has not been sufficient time to digest the entire NPRM to comment effectively.

We wish to point out that any other bureaucracy with which our segment of the maritime industry must deal prints an NPRM in toto in the Federal Register. To throw obstacles in the way of disseminating information by printing only a summary in the Register while turning the full text of the proposal over to a private sector contractor to print, is a case of Reagonomics at its worst. If we were to want additional copies without having to go to the bother of photocopying all the pages ourselves, then the purchase of mutiple, ready-made copies from a private contractor would make sense. But the initial proposal should have been printed in its totality. We pay to receive the Federal Register and should not have to go to a private source in order to get a full NPRM.

Although the title of the FCC has the word "communications" in it, FCC falls short when it comes to communicating with the people who must comply with its new regulations. In general, more discussion and evaluation of proposed regulations is necessary because more often than not our industry is faced with a fait accompli. Because of the "Report and Order" methodology of the commission, too often we find out about new regulations after they have already been adopted. And what about the lack of communications when FCC was setting up that schedule of "user fee" taxes which was foisted off on this industry?

We are well aware of the fact that changes in the state of the art have been rapid over the last 40 years. Unfortunately our members have been

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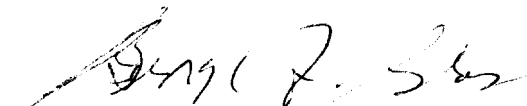
and continue to be in the unenviable position of "captive consumers" of equipment mandated by this as well as other regulatory bodies. When compulsory type-accepted and/or type-approved equipment is declared obsolete by FCC and new equipment must be purchased to meet regulations, the added cost exacerbates the cumulative impact of continually escalating regulations by various bureaucracies. It is our contention that new types of equipment should receive more thorough field testing in order to get the bugs out **before** it can be put on the market. As we are all aware, there is a tremendous difference between bench testing equipment and subjecting that same equipment to realistic sea tests.

Now there is a new piece of equipment that no doubt is destined for the type-accepted, then rejected, buy-new- equipment process: The 9 GHz radar transponder. We refer you to page 2, § 8, of FCC 92-497. It starts with, "The rules governing compulsory ships were recently revised..." and ends with the sentence "Accordingly, there is no need to review the rules and policies governing compulsory ships." Nobody ever asked our segment of industry for input in this regard and our first sight of what FCC has ordained was included in a Coast Guard Navigation and Vessel Inspection Circular (NVIC). Interestingly enough, on page 4 of the NVIC 9-92, Coast Guard states, **"Recent tests of 9GHz radar transponders have shown that they do not have the 10-mile operational radius that was expected when the 1988 SOLAS Amendments were developed."**

To gain further information in regard to availability and cost of this piece of equipment, we have begun to poll various electronics distributors. Thus far, we've batted zero; they have never even heard of the item!

Again we ask that the comment period be extended so that all concerned parties will have ample time to assess these proposals and their potential impact upon the industry.

Sincerely,



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Executive Director
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CC: RTCM

House Merchant Marine & Fisheries Committee
Senate Committee on Commerce, Science and Transportation